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PATENT  
Case No. N0171US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
FILLEY et al.

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)  
)  
)

Serial No. 10/665,736

) Group: 2624  
)  
)

Title: LOCATION-REFERENCED  
PHOTOGRAPH REPOSITORY

) Examiner:  
JEFFREY S. SMITH  
)

Filed: September 17, 2003

)

ELECTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the restriction included in the Office Action dated February 20, 2007.

Applicant traverses the restriction and provisionally elects the species of FIG. 1.

Applicant identifies Claims 1-23 and 28 as reading on FIG. 1.

Applicant traverses the restriction because the premise for the restriction is incorrect. In the Office Action dated February 20, 2007, it is stated that the basis for the restriction is that the species of FIGS. 1, 5, 6, and 7 are patentably distinct. Applicant points out that FIG. 7 shows a *hybrid version* of the photo repository system (see Applicant's specification page 12, lines 9-29). The hybrid version in FIG. 7 incorporates components of a network version (i.e., either a server-based version as in FIG. 1 or a peer-to-peer version as in FIG. 5) and the standalone version (as shown in FIG. 6). Thus, all

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Ser. No. 10/665,736

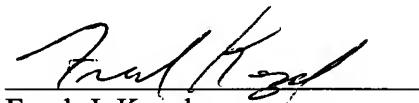
Election dated February 27, 2007

Reply to Office Action dated February 20, 2007

the claims (i.e., Claims 1-28) read on FIG. 7. Therefore, the Examiner could conduct an examination of all the claims with reference to FIG. 7.

Accordingly, the restriction requirement should be withdrawn.

Respectfully submitted,



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